

REMARKS**I. General**

Claims 1-24 are pending in the present Application. Applicant notes with appreciation that the Examiner has indicated that claims 7-12 and 19-24 include allowable subject matter and would be allowed if rewritten in independent form and if the rejections under 35 U.S.C. § 112 are overcome.

Claims 1, 2, 6, 13, 14, and 18 stand rejected under 35 U.S.C. § 102. Claims 1, 3-5, 13, and 15-17 are rejected under 35 U.S.C. § 103. Claims 1-24 stand rejected under 35 U.S.C. § 112. Applicant respectfully traverses the rejections of record.

Claim 1 has been amended to correct an informality discovered during the preparation of the present Amendment. Specifically, claim 1 has been amended to delete the word “resource” set forth in the last clause thereof in order to recite “the first client-specific data objects” as is consistent with the preceding language of claim 1. This amendment does not narrow the scope of the claim and has not been made to overcome a patentability or art rejection. Moreover, the amendment does not introduce any new matter.

II. The 35 U.S.C. § 112 Rejections

Claims 6 and 18 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. In particular, the rejection of record states that the specification does not point out what identifying characteristics of the instructions are included in the first end and first begin instructions, the Office Action at page 2. However, in order to properly establish a rejection under 35 U.S.C. § 112, first paragraph, “[t]he examiner has the initial burden of presenting by a preponderance of evidence why a person skilled in the art would not recognize in an applicant’s disclosure a description of the invention defined by the claims,” M.P.E.P. § 2163.04 (citing *In re Wertheim*, 191 U.S.P.Q. 90, 97 (CCPA 1976)). Applicant respectfully asserts that the Examiner has not met the foregoing burden in rejecting claims 6 and 18 under 35 U.S.C. § 112, first paragraph.

Claims 6 and 18 recite that “the first begin scope instruction and the first end scope instruction include information identifying the first begin scope instruction and the first end

scope instruction.” The rejection of record does not show why one of ordinary skill in the computer arts would not recognize in Applicant’s disclosure a description of information identifying the first begin scope instruction and the first end scope instruction. Instead, the rejection of record incorrectly focuses upon whether the disclosure provides a description of “what identifying characteristics of the instructions are included in the first end and begin instructions.” Moreover, Applicant respectfully asserts that one of ordinary skill in the art would understand that Applicant was in possession of this aspect of the invention from the language of the claims themselves.

The foregoing notwithstanding, Applicant asserts that the specification provides a description of the information of at least one embodiment at page 18, lines 9-19, wherein such information of an embodiment is described as a name or other parameter “indicating that the temporal scope is used to group chronological resource usage in reference to a particular subject matter” It is respectfully asserted that the foregoing provides adequate written description as required under 35 U.S.C. § 112, first paragraph.

Claims 1-24 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Specifically, with respect to claims 1 and 13 the rejection of record asserts that “the claims recite the limitation of ‘client-specific resource data object’ [and that] Applicant only refers to client-specific data in the specification,” the Office Action at page 2. As noted above, claim 1 has been amended to delete the word “resource” in the last clause thereof in order to properly correspond to the language for which antecedent basis had been provided in the claim.

In rejecting claims 1 and 13 under 35 U.S.C. § 112, first paragraph, the Examiner asserts that “an object, in an object-oriented system, is: ‘a variable comprising of both routines and data that is treated as a discrete entity,’” and states that “the specification fails to adequately describe what the object is and whether or not this client-specific resource data object is said ‘routines and data,’ as known to those of ordinary skill in the art, or just data,” the Office Action at page 3. However, the specification is replete with discussion of tracking data structures, also referred to as scope tables, wherein client-specific local resource names (e.g., user assigned name) are stored with corresponding client-specific global resource names (e.g., uniform resource locator (URL)), see e.g., page 16, line 16, through page 17, line

16. These corresponding entries are taught according to one embodiment to be treated together, e.g., as an “object,” see e.g., 17, line 20, through page 18, line 1. Accordingly, it is respectfully asserted that the foregoing provides adequate written description as required under 35 U.S.C. § 112, first paragraph.

III. The 35 U.S.C. § 102 Rejections

Claims 1, 2, 6, 13, 14, and 18 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Howard et al., United States patent number 6,584,505 (hereinafter *Howard*). To anticipate a claim under 35 U.S.C. § 102, a reference must teach every element of the claim, see M.P.E.P. § 2131. Applicant respectfully traverses the 35 U.S.C. § 102(e) rejection of record because *Howard* does not teach every element of the claims.

In rejecting claims 1 and 13 under 35 U.S.C. § 103, the Examiner concedes that *Howard* does not teach a data object as set forth in the claims, see the Office Action at page 7. As all claim limitations must be taught by the applied art in order for the claim to be anticipated under 35 U.S.C. § 102, Applicant respectfully asserts that claims 1 and 13, as well as the claims dependent therefrom, are patentable under 35 U.S.C. § 102 over *Howard*.

Moreover, claim 13 recites:

- receiving a first begin scope instruction;
- tracking one or more first client-specific resource data objects in response to the first begin scope instruction;
- receiving a first end scope instruction; and
- removing the first client-specific resource data objects in response to the first end scope instruction.

The rejection of record relies upon a user logging into an authentication server to meet the recited first begin scope instruction, a user logging out of the authentication server to meet the recited first end scope instruction, and data tracked in a cookie as meeting the recited first client-specific resource data objects, see the Office Action at page 4. Even assuming, *arguendo*, that a user logging in and out of an authentication server meets the recited first begin scope instruction and first end scope instruction, the disclosure of *Howard* does not meet the foregoing claim limitations.

Howard expressly teaches that the cookies (and its data) removed when the user logs out of the authentication server are created when the user visited sites since the last logout

from the authentication server. Accordingly, the cookies (and data) removed by *Howard* are not the same cookies (and data) tracked in response to the user's having logged into the authentication server. The applied reference does not teach every element of the claims as required under 35 U.S.C. § 102. Applicant therefore asserts that claim 13 and the claims dependent therefrom are patentable over the rejection of record.

The 35 U.S.C. § 102 rejection of record addressing claim 1 asserts that the method steps of claim 1 are wholly recited in the program instructions in the computer system as discussed in the rejection of claim 13 and, therefore, that the claimed limitations are met in the rejection of claim 13. Similar to claim 13, claim 1 recites:

receiving a first begin scope instruction;
tracking one or more first client-specific data objects in
response to the first begin scope instruction;
receiving a first end scope instruction; and
removing the first client-specific data objects in
response to the first end scope instruction.

As discussed above with respect to claim 13, *Howard* does not teach “tracking one or more first client-specific data objects in response to the first begin scope instruction” and then “removing the first client-specific data objects in response to the first end scope instruction.” Specifically, the cookies (and data) taught to be created by *Howard* when logging into the authentication server are not the same cookies (and data) taught to be removed by *Howard* when logging out of the authentication server. Accordingly, claim 1 and the claims dependent therefrom are asserted to be patentable over the 35 U.S.C. § 102 rejection of record.

Dependent claims 2, 6, 14, and 18 are each directly or indirectly dependent from one of the above independent claims. Accordingly, without conceding that the Examiner's assertions are valid with respect to the limitations of the rejected dependent claims, it is respectfully submitted that the dependent claims are allowable at least for the reasons set forth above with respect to independent claims 1 and 13. Moreover, these dependent claims are also asserted to be patentable over the applied art in view of their novel claim features.

IV. The 35 U.S.C. § 103 Rejections

Claims 1 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Howard* and Graber et al., United States patent number 5,717,860 (hereinafter *Graber*). Claims 3, 5, 15, and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Howard* in view of Haun et al., United States patent number 6,751,658 (hereinafter *Haun*). Claims 4 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Howard* in view of Harrison et al, United States patent number 6,691,113 (hereinafter *Harrison*).

To establish a *prima facie* case of obviousness, three basic criteria must be met, see M.P.E.P. § 2143. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Without conceding the second criteria, Applicant respectfully asserts that the references lack proper motivation to combine in addition to lacking all the claim limitations.

In rejecting claims 1 and 13 under 35 U.S.C. § 103, the Examiner again relies upon *Howard* teaching a user logging into an authentication server to meet the recited first begin scope instruction, a user logging out of the authentication server to meet the recited first end scope instruction, and data tracked in a cookie as meeting the recited first client-specific resource data objects, see the Office Action at pages 6 and 7. Applicant has shown above, the cookies (and data) taught to be created by *Howard* when logging into the authentication server are not the same cookies (and data) taught to be removed by *Howard* when logging out of the authentication server. Moreover, the disclosure of *Graber* is not relied upon to cure this deficiency. Accordingly, a *prima facie* case of obviousness under 35 U.S.C. § 103 has not been established with respect to claims 1 and 13, or the claims dependent therefrom, over *Howard* in view of *Graber*.

The rejection of record asserts that *Graber* teaches a data structure for storing user records, see the Office Action at page 7. However, the data structure identified in the Office Action is disclosed as a plurality of separate data structures which include a Subscriber Information Directory Table, a Customer Information Directory Table, a first Co-Marketer

Information Directory Table, and a second Co-Marketer Information Directory Table, see column 4, lines 7-11. The rejection of record is unclear as to whether the Examiner is relying upon the combination of these data structures to meet the recited data objects or is relying upon a particular one of the data structures to meet the recited data objects. Irrespective of whether the Examiner is relying upon the data structures together or alone, Applicant's review of *Graber* does not reveal any disclosure of the use of these data structures as data objects. Accordingly, Applicant respectfully asserts that the Examiner is relying on impermissible hindsight in order to piece together the elements of the claims based on knowledge gleaned from Applicant's disclosure, see M.P.E.P. § 2145(X)(A). As such, the 35 U.S.C. § 103 rejection of record is improper.

Moreover, if the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims prima face obvious, M.P.E.P. § 2143.01, citing *In re Ratti*, 123 U.S.P.Q. 349 (CCPA 1959). *Howard* teaches that various cookies are used which contain different information, e.g., a cookie with authentication information, a cookie with date and time that a user was authenticated, a cookie with a list of all sites visited by the user since the last logout from the authentication server in a cookie, and cookies placed on the client computer system from other web servers, see column 7, lines 17-35. It is only this last type of cookie that is taught to be deleted by *Howard*. A *prima facie* case of obviousness under 35 U.S.C. § 103 has not been established because the proffered modification of *Howard*, to use a data structure which combines the data into one functional structure, would change the principle of operation thereof (i.e., all information would be deleted, not just the cookies from other web servers).

Dependent claims 3-5 and 15-17 are each directly or indirectly dependent from one of the above independent claims. The secondary references applied with respect to these dependent claims are not relied upon to cure the above deficiencies identified with respect to the applied art meeting the independent claims. Accordingly, without conceding that the Examiner's assertions are valid with respect to the limitations of the rejected dependent claims, it is respectfully submitted that the dependent claims are allowable at least for the reasons set forth above with respect to independent claims 1 and 13. Moreover, these

dependent claims are also asserted to be patentable over the applied art in view of their novel and non-obvious claim features.

In addition to the foregoing, Applicant respectfully asserts that a *prima facie* case of obviousness under 35 U.S.C. § 103 has not been established with respect to dependent claims 3-5 and 15-17. In rejecting independent claims 1 and 13 under 35 U.S.C. § 103, the rejection of record concedes that *Howard* does not teach the data objects recited therein. Accordingly, the disclosure of *Graber* is relied upon in combination with *Howard* to reject these independent claims. However, the 35 U.S.C. § 103 rejections of dependent claims 3-5 and 15-17 do not include the combination of *Graber*. Moreover, the secondary references applied in the 35 U.S.C. § 103 rejections of the dependent claims are not relied upon to teach the above mentioned data objects. Accordingly, a *prima facie* case of obviousness under 35 U.S.C. § 103 with respect to claims 3-5 and 15-17.

V. Summary

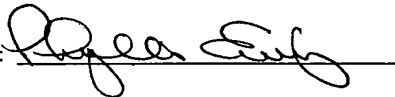
In view of the above, Applicant believes the pending application is in condition for allowance.

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-2025, under Order No. 10001428-1 from which the undersigned is authorized to draw.

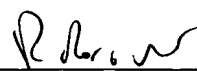
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